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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Amar LULLA, et al.

Art Unit: 3743

Serial No. 10/617,850

Examiner: Nihir Patel

Filed: July 14, 2003

For: SPACER DEVICE FOR INHALER

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of December 13, 2004, Applicants respectfully request reconsideration.

I. Claims 1, 5, 6 and 8-13

Claims 1, 5, 6 and 8-13 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Schmidt et al. (U.S. Published Patent Application No. 2002/0026935) in view of Armer et al. (U.S. Patent No. 6,095,141) in further view of Berg et al. (U.S. Patent No. 6,435,176). The Office Action asserts Schmidt et al. teaches each feature of the rejected claims, except for the chamber being made of polyamide and having the shape of two frustoconical members assembled together coaxially at divergent ends, for which purpose Armer et al. and Berg et al. are apparently cited.

A. “wherein the chamber is made of a polyamide”

Applicants direct the Examiner's attention to page 5 of the Amendment filed on March 14, 2005, which states,